

SUPPORTING STATEMENT

1. Identification of the Information Collection

Title: Brownfields Program – Revitalization Grantee Reporting, EPA ICR No. 2104.01.

This is a request for a new Information Collection Request (ICR). This ICR covers the collection of information from those organizations that receive grants from EPA under the authority of subtitle A of the “Small Business Liability Relief and Brownfields Revitalization Act” (Public Law 107-118, January 2002). Subtitle A of the Act amends the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, and authorizes EPA to award grants to states, tribes, local governments, and other eligible entities to support the assessment and cleanup of brownfields properties. With this ICR, EPA’s Office of Brownfields Cleanup and Revitalization (OBCR) seeks authorization to collect information from grantees using several standard forms that will streamline the data collection effort and improve the quality of information collected. The information collected under this ICR supplements the minimum reporting and record keeping requirements that grantees are subject to under 40 CFR Part 30, “Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations” and 40 CFR Part 31, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.” EPA estimates that all respondents who voluntarily respond to this information collection by electing to participate in the Brownfields grants program have determined that the expected benefits of participation outweigh any burden associated with preparing the response.

2. Need for/Use of the Collection

On January 11, 2002, the President signed into law the Small Business Liability Relief and Brownfields Revitalization Act (the “Brownfields Amendments”), which authorizes EPA to award several types of grants to eligible entities on a competitive basis. Under subtitle A of the Brownfields Amendments, States, tribes, local governments, and other eligible entities can receive grants to:

- (1) inventory, characterize, assess, and conduct planning and community involvement related to brownfields sites;
- (2) carry out cleanup activities at brownfields sites;
- (3) capitalize revolving loan funds and provide sub-grants for cleanup activities; and
- (4) support the creation and implementation of environmental job training and placement programs.

Under the Brownfields Amendments, a brownfields site means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a

hazardous substance, pollutant, or contaminant. For grant funding purposes, EPA uses the term “brownfields property(ies)” synonymously with the term “brownfields sites.”

While the Agency collects basic grant information as part of its Federal stewardship responsibilities to manage and oversee recipient activities and expenditures (see 40 CFR Parts 30 and 31), OBCR needs additional information from grantees to be reported in a consistent manner in order to evaluate the effectiveness of the program and to report on program activities and accomplishments to Congress and other program stakeholders. Specifically, OBCR will use the information collected from grantees to oversee the activities carried out using grant funds, to evaluate program implementation and effectiveness, and to meet the Agency’s responsibilities under the Government Performance and Results Act to report on OBCR’s accomplishments. The information collection activities covered by this ICR are intended to: (1) improve the alignment of reporting requirements with programmatic performance measures; and (2) simplify and standardize reporting requirements to reduce uncertainty and burden imposed on grantees. Without the information collection, OBCR would have limited access to information needed to effectively assess the relationship between those activities funded by EPA’s subtitle A Brownfields grants and the intent of Congress with the passage of the Brownfields Amendments.

3. Non-duplication, Consultations, and Other Collection Criteria

3(a). Non-duplication – There is no other known sources for the information that EPA seeks under this ICR. Moreover, this ICR supplements, and does not duplicate, the information that EPA collects as part of its reporting and record keeping provisions under the Agency’s general assistance regulations at 40 CFR Part 30, “Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations,” and 40 CFR Part 31, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.” EPA’s regulations at 40 CFR Part 31, which implements the requirements of OMB Circular A-102, became effective for awards made on or after October 1, 1988. The Part 31 rule (common rule) established uniformity among Federal agencies that award Federal grants and cooperative agreements to States, political subdivisions thereof, and Federally-recognized Indian Tribal Governments. **Exhibit 1** identifies the tasks and burdens of grant recipients that are covered under other OMB-approved ICRs. This ICR addresses the burden imposed on grant recipients and EPA associated with the reporting requirements that are unique to grants awarded by EPA under authority of subtitle A of the Brownfields Amendments.

3(b). Public Notice Required Prior to ICR Submission to OMB. The first notification of the Agency’s request for this new ICR was published in the *Federal Register* (68 FR 16508) on April 4, 2003 (see **Attachment A** for a copy of the *Federal Register* notice). EPA received two comments from one local government official during the sixty-day public comment period. One comment addressed reporting provisions under the Agency’s general assistance regulations at 40 CFR Parts 30 and 31, and does not pertain to the reporting requirements under this ICR. The second comment recommended that EPA allow electronic reporting to minimize grantee burden. EPA agrees with this comment and, as discussed in section 5(b) of this supporting statement, is currently developing an electronic reporting process that will allow grant recipients to report their

data electronically. Concurrent with the submission of this ICR to OMB, EPA is publishing a second *Federal Register* notice seeking public comments on this ICR.

3(c). Consultations – EPA has more than eight years of experience managing a Brownfields pilot program that awarded more than 670 cooperative agreements to State, local, and Tribal governments to address brownfields properties. For these Brownfields pilot grants, EPA staff have worked closely with the pilot recipients to help them participate in the program and address their brownfields properties. As such, EPA has a detailed understanding of the activities that grantees undertake and the burden they incur for voluntarily participating in EPA’s grants programs. In addition, during the preparation of this ICR and the reporting forms that are included, EPA contacted eight Brownfields pilot recipients to ask them specific questions about the burden associated with completing the draft forms included in this ICR. Pilot recipient responses form the basis of EPA’s calculations of the burden hours and costs.

Exhibit 1: Grant Burdens Covered Under Other Agency ICRs

Task/Burden	Authority	Agency Approved ICR
Preliminary Grant Proposal	40 CFR Parts 30 and 31	OMB 2030-0020
Final Grant Proposal	40 CFR Parts 30 and 31	OMB 2030-0020
Budget Sheets	40 CFR Parts 30 and 31	OMB 2030-0020
Quarterly Progress Reports	40 CFR Parts 30 and 31	OMB 2030-0020
Notification of Significant Developments	40 CFR Parts 30 and 31	OMB 2030-0020
Procurement Reports	40 CFR Parts 30 and 31	OMB 2030-0020
Financial Reports	40 CFR Parts 30 and 31	OMB 2030-0020
Project Records	40 CFR Parts 30 and 31	OMB 2030-0020

3(d). Effects of Less Frequent Collection – The information collection schedule is consistent with the Agency’s reporting schedule for general assistance grants. Less frequent collection may not enable EPA to oversee and manage Brownfields grants effectively and would lessen OBCR’s ability to report up-to-date and accurate information on program activities and accomplishments. In consideration of the burden imposed on grantees, EPA has adopted less frequent reporting for the Property Profile form in which grantees are required to update and submit the form as notable activities or changes occur at a particular property. EPA anticipates that recipients of assessment, cleanup, and revolving loan fund grants will submit an updated Property Profile form to EPA, on average, two times a year but not more than quarterly.

3(e). General Guidelines – The information collection is consistent with the guidelines set forth in 5 CFR 1320.6 of the Paperwork Reduction Act Guidelines.

3(f). Confidentiality – No confidentiality is provided and no sensitive information is collected under this ICR.

3(g). Sensitive Questions – Sensitive questions are not associated with the information collection activities performed under Public Law 107-118.

4. Respondents and Information Requested

4(a). Respondents – Respondents under this ICR are those entities who voluntarily elect to participate in the Brownfields grants program and receive grant funding from EPA under the authority of subtitle A of the Brownfields Amendments. Specifically, respondents to this information collection include: general purpose units of local government;¹ land clearance authorities or other quasi-governmental entities that operate under the supervision and control of, or as an agent of, a general purpose unit of local government; government entities created by state legislature; regional councils or groups of general purpose units of local government; redevelopment agencies that are chartered or otherwise sanctioned by the State; States; Indian Tribes other than in Alaska; Alaska Native Regional Corporations, Alaska Native Village Corporations, and Metlakatla Indian Communities; or non-profit organizations.

4(b). Information Requested – The information requested by EPA under this ICR includes information from grantees specific to the activities undertaken and the accomplishments that result using Brownfields grant funds. The information to be collected by EPA will vary by the type of grant awarded to the respondent. Brownfields job training grantees are required to complete on a quarterly basis the Brownfields Job Training Reporting Form (see **Attachment B**). The Job Training Reporting Form seeks basic information on how grant funds were used to support job training programs and the accomplishments stemming from those programs. For example, job training grantees will report the number of participants who have completed the training, whether participants obtained employment, and the average hourly wages of participants who obtained employment.

For Brownfields assessment, cleanup, and revolving loan fund grants, EPA requires grantees to prepare an initial Property Profile Form (see **Attachment C**) for each property at which grant funds are expended. The Property Profile Form complements the information collected as part of the quarterly reports required by the general assistance regulations, and requests basic information about each brownfields property covered by the grant, such as property name, location, parcel number, and size. EPA requires grantees to update the Property Profile Form as notable activities or changes occur on the property, but no more frequently than quarterly. For example, as an assessment of the property is completed, grantees are required to

¹For the purposes of the Brownfields grant program, EPA defines general purpose unit of local government as a “local government” as that term is defined under 40 CFR Part 31.

²For the purposes of the Brownfields grant program, EPA uses the definition of nonprofit organization contained in Section 4(6) of the Federal Financial Assistance Management Improvement Act of 1999, Public Law 106-107.

complete the portion of the Property Profile Form that applies to assessments, and provide basic information to EPA on the type of assessment, date of completion, and results or findings of the assessment. Other sections of the Property Profile Form collect basic information on cleanups and any redevelopment activities that occur on the property, including estimates of the number of jobs that result.

5. The Information Collected – Agency Activities, Collection, Methodology and Information Management

5(a). Agency Activities – EPA is responsible to Congress and other stakeholders to ensure that its resources are being used efficiently and effectively, to evaluate the progress of the grantees in meeting the goals of EPA’s Brownfields Cleanup and Revitalization Program, and to share the successes, lessons learned, and best practices among Brownfields grantees. EPA will collect the information using standardized forms that minimize the burden on respondents while ensuring consistent information that can be easily aggregated and accurately reported. EPA program staff will review the information collected to keep current on grant activities, and will enter the information into the Agency’s Brownfields Management System (BMS). EPA uses BMS to maintain information on all of its Brownfields grants, develop reports to support management and program evaluation activities, and to report accomplishments achieved as part of the Agency’s responsibilities under GPRA.

5(b). Collection Methodology and Management – EPA will collect data under this ICR using a standard set of forms, instructions, and guidance that are designed to simplify and facilitate the reporting requirements for grant recipients. In fulfilling the requirements under the Government Paperwork Elimination Act (Public Law 105-277), EPA is currently developing an electronic reporting process that will allow grant recipients to report their data electronically. This electronic reporting process will be integrated with EPA’s Enterprise Architecture to further streamline the Agency’s data management and reporting responsibilities. EPA expects that this electronic reporting process will be available to grantees beginning in the first quarter of FY2004. EPA will modify its reporting guidance and provide training when the electronic reporting process is in place. EPA anticipates that the electronic reporting process may reduce the burden placed on grant recipients; preliminary estimates based on conversations with current and former Brownfields pilot recipients suggest that such a process will reduce the reporting burden by an estimated 20 to 50 percent.

5(c). Small Entity Flexibility – This information collection request is expected to affect small governmental jurisdictions, which are defined as governments of cities, counties, towns, townships, villages, school districts, or special districts with populations of less than 50,000. This definition may also include Indian Tribes, in keeping with the President’s Federal Indian Policy. EPA has considered whether to establish different reporting requirements for small entities and has determined that: (1) different reporting requirements among grantees will result in inconsistent data that may lessen the Agency’s ability to oversee and report on program activities and accomplishments; (2) the burden imposed by this information collection is relatively small and small entities should not be unduly burdened by the reporting requirement; and (3) the

Brownfields grants program is voluntary and respondents who elect to participate in this program have determined that the expected benefits of participation outweigh any burden associated with preparing the response.

5(d). Collection Schedule – The information to be collected under this ICR shall not occur more frequently than quarterly. Brownfields Job Training grant recipients must complete and/or update their Brownfields Job Training Performance Form every quarter. For assessment, cleanup, and revolving loan fund grants, grantees will be required to prepare an initial Property Profile form for each property at which grant funds are expended, and to update the Property Profile forms quarterly for only those properties in which notable activities or changes have occurred.

6. Estimating the Burden and Cost of the Collection

6(a). Estimating respondent burden - A “unit” burden is the burden incurred by a respondent for performing a specific activity that is not covered by another ICR (such as 40 CFR Parts 30 and 31). The estimated burden is incurred by the following activities:

- Completion of the Brownfields Job Training Reporting Form;
- Initial completion of the Brownfields Property Profile Form;
- Periodic updating of the Brownfields Property Profile Form to report progress on specific properties undergoing assessment, cleanup, or redevelopment; and

The estimated burden for respondents is presented in Exhibit 2.

If any burdens were found to be imposed in the ICR by a rule that supercedes the Brownfields Amendments, those burdens, or a percentage of those burdens, were removed from the overall burden calculation in this ICR (see Exhibit 1).

6(b). Estimating respondent costs - To estimate the unit burden (hours) and hourly rate for each information collection activity, EPA relied on its extensive experience working closely with Brownfields pilot grant recipients, as well as in-depth interviews with eight current or former pilot grant recipients specific to this ICR. Those interviewed were shown draft copies of all forms and accompanying instructions and guidance that would be used for reporting and asked to estimate: (1) the number of hours that would be required to perform each task; and (2) the labor mix required to perform each task (e.g., percentage of management, technical, clerical). The data gathered from these interviews were then analyzed to estimate the unit burden and labor mix.

Exhibit 2 - Annual Respondent Burden and Cost

Activity	Unit Burden (Hours)	Unit Labor Cost (Dollars)	Total Unit Cost (Dollars)	Average Number of Responses/ Year*	Total Burden/ Year (Hours)*	Total Cost/Year (Dollars)*
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Job Training Performance Form	5	\$29.57	\$147.85	93	467	\$13,750
Initial Completion of Property Profile Form	1	\$29.57	\$29.57	1,225	1,225	\$36,223
Update of Property Profile Form	1.5	\$29.57	\$44.36	3,752	5,628	\$166,420
TOTAL				5,070	7,320	\$216,393
AVERAGE TOTAL COST PER BURDEN HOUR					\$29.57	

* Figures may not sum due to rounding.

The unit labor cost (dollars) for this burden estimate is a weighted hourly rate based upon the estimated labor mix and wage rates gathered from the U.S. Bureau of Labor Statistics (BLS). Across all tasks, data from consultations indicate that the average grantee will incur 15 percent of its burden with executive/managerial staff labor, 5% with professional specialty staff labor, 70 percent with technical labor, and 10 percent with administrative support or clerical labor. This labor mix was applied to BLS, National Compensation Survey (NCS) data issued in December 2002² for a weighted hourly rate of \$29.57.

Job training grant recipients will be required to report progress on a quarterly basis using EPA's "Job Training Reporting Form -- Brownfields" (see Attachment B). Grantees will be required to report progress on a quarterly basis, with each update requiring approximately 5 hours for a unit burden of \$147.85. The majority of this burden stems from the collection of salary or wage information from job training program participants who are able to find employment.

Cleanup, assessment, and revolving loan fund grant recipients will be required to report progress with the "Property Profile Form – Brownfields" (see Attachment C). EPA anticipates that the initial completion of this form will require approximately 1 hour. Grantees will be required to update this form as grant milestones are achieved, though not more frequently than quarterly. It is estimated that each update will require approximately 1.5 hours for a unit burden of \$44.36. It is estimated that each form will be updated an average of twice per year.

All grants awarded under subtitle A of the Brownfields Amendments cover a period of performance of two years. Based on the Agency's experience under its pilot grants program, EPA estimates that at the end of two years, approximately 75 percent of grants will receive a no-cost extension, approximately 20 percent of grantees will receive supplemental awards, and 5 percent of grants will close out. Grantees that receive either a no-cost extension or a supplemental award will be required to continue to report on their grant activities using the forms authorized under this ICR. This burden is included in the estimated number of responses per year and, therefore, the overall burden calculation estimated for this ICR.

Start-up costs to meet the Brownfields grants reporting requirements are minimal and are a part of the customary and usual expenses incurred by grantees. There are no capital costs related to Brownfields reporting requirements. Therefore, total start-up and capital costs are zero. There are no operation and maintenance costs required.

6(c). Agency burden and costs - EPA incurs a burden in the process of requesting, reviewing and processing the information covered by this ICR. This burden includes:

- The development of grant profiles with information collected from grantees;
- Reviewing and processing Brownfields Job Training Reporting Forms;
- Reviewing and processing initial Brownfields Property Profile Forms; and
- Reviewing and processing updates of Brownfields Property Profile Forms.

³See Bureau of Labor Statistics publication entitled "Employer costs per hour worked for employee compensation and costs as a percent of total compensation: state and local government, by occupational group, December 2002." <http://stats.bls.gov/news.release/eccec.t04.htm#content>.

The estimated burden associated with EPA activities is presented in Exhibit 3.

Exhibit 3 - Annual Agency Burden and Cost

Activity	Unit Burden (Hours)	Unit Labor Cost (Dollars)	Total Unit Cost (Dollars)	Average Number of Responses / Forms per Year (Full)	Total Burden (Hours)*	Total Cost (Dollars)*
Preparation of Grant Profile	4.5	\$26.81	\$120.65	203	912	\$24,504
Review and Process Job Training Performance Form	1.5	\$26.81	\$40.22	93	140	\$3,753
Review and Process Initial Property Profile Form	2.5	\$26.81	\$67.03	1,225	3,063	\$82,119
Review and Process Updates of Property Profile Form	2	\$26.81	\$53.62	3,752	7,503	\$201,182
TOTAL*					11,618	\$311,558
AVERAGE TOTAL COST PER BURDEN HOUR					\$26.81	

*Figures may not sum due to rounding

The burden imposed upon EPA was estimated by: (1) interviewing EPA Regional and Headquarters staff to gather individual estimates of the time required to perform each activity and the GS level of the staff performing those tasks; (2) averaging the time data to estimate the number of hours required for each burden element; (3) averaging the data on the percentage of time performed by particular staff GS levels; (4) developing a weighted hourly rate based upon percentage of staff labor at different GS levels devoted to each task; and (5) determining the product of the weighted hourly rate and the number of hours required per activity.

The weighted hourly rate utilized in the Federal burden estimate is based upon the following composite:

GS Level	Percent	Hourly Wage Rate*
GS 4, Step 1	10%	\$10.04
GS 11, Step 1	10%	\$20.59
GS 13, Step 1	75%	\$29.35
GS 14, Step 1	5%	\$34.68
Weighted Rate		\$26.81

*Rates for 2003 General Schedule

6(d). Estimated Respondent Universe and Total Burden and Costs – The estimated annual average number of respondents per year for this information collection is 203 respondents, with the average total number of responses per year estimated at 5,070. As presented in Exhibit 2, the total average annual burden to respondents is 7,320 hours per year at a cost of \$216,393.

6(e). Bottom-line burden hours and costs – Exhibits 2 and 3 provide the bottom-line burden hours and costs for respondents and EPA, respectively. The hours and costs presented in these exhibits represent the average annual burden resulting from this information collection; the total burden hours and costs for the three-year period covered under this ICR is estimated to be three times the total hours and costs provided in each exhibit.

6(f). Reasons for Change in Burden – This is a new information collection and, as such, there is no change in burden.

6(g). Burden Statement – The annual public reporting and recordkeeping burden for this collection of information is estimated to average 5 hours per response for job training grant recipients, and 1.25 hours per response for assessment, cleanup, and revolving loan fund grant recipients. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID No. SFUND-2003-0004, which is available for public viewing at the OSWER Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the OSWER Docket is (202) 566-2426. An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use EDOCKET to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. Once in the system, select “search,” then key in the docket ID number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Office for EPA. Please include the EPA Docket ID No. SFUND-2003-0004 and EPA ICR No. 2104.01 in any correspondence.

Attachment A:
Federal Register Notice Seeking Public Comment on the Agency's Information
Collection Request for the Brownfields Program – Revitalization Grantee
Reporting

